

HOUSE BILL 2001

By Watson

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, relative to controlled
substances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-402, is amended by adding the following as a new, appropriately designated subdivision thereto:

() "Retail Internet sale of an immediate methamphetamine precursor" means arranging through the Internet, electronic mail, or other electronic communication service to transfer an immediate methamphetamine precursor to anyone in this state other than the following persons:

- (A) A pharmacy licensed by the board of pharmacy;
- (B) A manufacturer of drug products licensed by the board of pharmacy;
- (C) A wholesale drug distributor licensed by the board of pharmacy;
- (D) A wholesale drug distributor registered with the United States department of justice, drug enforcement administration under the Controlled Substances Act;
- (E) Any facility specified in § 68-11-202(a)(1) that is licensed by the board for licensing health care facilities; or
- (F) A person who accepts transfer of the immediate methamphetamine precursor in person and complies with all applicable requirements of § 39-17-431.

SECTION 2. Tennessee Code Annotated, Section 39-17-431, is amended by adding the following as a new subsection:

(q)

(1) It is an offense for a person to make a retail Internet sale of an immediate methamphetamine precursor.

(2) A violation of this subsection (q) is a Class A misdemeanor, punishable by fine only.

SECTION 3. Tennessee Code Annotated, Section 39-17-431(c)(1), is amended by deleting the language “or more than nine (9) grams per thirty-day period,” and substituting instead the language “seven and two tenths (7.2) grams per thirty-day period, or sixty-one and two tenths (61.2) grams per one-year period,”.

SECTION 4. Tennessee Code Annotated, Section 39-17-431(c)(2), is amended by deleting the language “or more than nine (9) grams per thirty-day period,” and substituting instead the language “seven and two tenths (7.2) grams per thirty-day period, or sixty-one and two tenths (61.2) grams per one-year period,”.

SECTION 5. Tennessee Code Annotated, Section 39-17-431(m)(1), is amended by deleting the language “one-day or thirty-day period” wherever it appears and by substituting instead the language “one-day, thirty-day or one-year period”.

SECTION 6. Tennessee Code Annotated, Section 39-17-431(c), is amended by adding the following as a new subdivision:

(5) A person who returns a product containing ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers shall not receive any credit toward the limits imposed by this subsection (c) for the return of the product.

SECTION 7. Tennessee Code Annotated, Section 39-17-436(a), is amended by adding the following as a new subdivision:

(6) Any felony violation of this part;

SECTION 8. Tennessee Code Annotated, Section 39-17-436(f), is amended by deleting the language “methamphetamine registry” and by substituting instead the language “drug offender registry”.

SECTION 9. This act shall take effect July 1, 2014, the public welfare requiring it.